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- Speaker Daniels: "The House will come to order. Those not entitled to the floor will please retire to the gallery. Speaker Daniels in the Chair. The Chaplain for the day is Reverend Wayne Meyer of the Tallula Christian Church in Tallula. Reverend Meyer is the guest of Representative Raymond Poe. Guests in the gallery may wish to rise for the invocation. Reverend Meyer."
- Reverend Wayne Meyer: "Our eternal God, we come to You this day, asking for guidance and wisdom. Oh Lord, we readily admit we desire to struggle to become a member of this House. Further, we believe with our heart and soul, the concept of representative government as а spark of divinity. Therefore, oh God of all peoples, we ask and pray for guidance in making decisions that affect our people and the wisdom to do what is in the best interest of all people in Illinois. Simply put, oh God, give us the breadth and sense of direction and wisdom as given and received by Abraham Lincoln and Dr. Martin Luther King. Amen."
- Speaker Daniels: "Thank you, Reverend Meyer. We will be led in the Pledge of Allegiance by Representative John Turner."
- Turner: "I pledge allegiance to the flag of the United States of
  America, and to the Republic for which it stands, one
  nation under God, indivisible, with liberty and justice for
  all."
- Speaker Daniels: "Roll Call for Attendance. Representative

  Currie is recognized on the Democratic side of the aisle

  for excused absences."
- Currie: "Thank you, Speaker. Please let the record show that there are no excused absences among the House Democrats today."
- Speaker Daniels: "The record will so reflect. Representative

  Cross is recognized for excused absences on the Republican

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- side of the aisle."
- Cross: "Thank you, Mr. Speaker. If the record would please reflect that Representatives Clayton, Pedersen, and Salvi are excused today."
- Speaker Daniels: "The record will so reflect. Mr. Clerk, take the record."
- Clerk McLennand: "There are 112 Members answering the Roll and a quorum is present. The House will come to order."
- Speaker Daniels: "Committee announcements."
- Clerk McLennand: "Attention Members, the Insurance Committee scheduled for 12:30 today has been cancelled. Insurance, scheduled for 12:30, has been cancelled."
- Speaker Daniels: "Representative Currie."
- Currie: "Thank you, Speaker. I rise on a point of personal privilege. At the end of the last week's Session, there was a Motion to suspend the posting requirement, the Rules Requirement. for purposes of hearing the Adjournment Resolution. During the time that Motion was pending, Representative Lang and I had our lights on, our speak lights on. We were not recognized by whoever happened to be inhabiting your Chair at that point, Speaker. And I think that is not the way Members of this House should be treated. When a Motion is pending, and people are asking recognition, they ought to be given recognition. also point out, that during six of the last seven Session weeks, a Motion to void Rules Committee consideration Adjournment Resolutions has been used, as I say, six out of the last seven Session weeks. These, Speaker, are your Rules of the House. You deem in your rules that these Motions should go to the Rules Committee. It doesn't matter to me whether they do or whether they don't. fact, I've filed an Amendment to the House Rules that would

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suggest that those Motions need not be heard in the Rules Committee first. But, Speaker, this is your House. have promised us order. You promised us openness, and for you to, first of all, propose these Motions week after week after week, is not only time consuming, it's I think, a waste of the time of this chamber. And for you to propose those Motions, and then not even to recognize Members of this House who wish to speak to the Motion, is an absolute violation of not just the Rules of this House, but of Robert's Rules of Orders. So, I would appreciate it first if in the future, when people are asking recognition, they receive recognition during the pendency of a Motion or other action before this chamber. And second, I would implore you to clean it up. If we're not going to use the Rules Committee to consider Adjournment Resolutions, and I see no reason why we should. Let's amend the Rules and do it right. Thank you."

- Speaker Daniels: "House Bills Second Reading. House Bill 1747.

  Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #1747. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."
- Speaker Daniels: "Third Reading. House Bill 2659. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #2659. A Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill.

  Committee Amendments #1 and 2 were adopted. Fiscal Note and State Mandates Note have been requested on the Bill as amended and they have been filed."
- Speaker Daniels: "Third Reading. House Bill 3193. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3193. A Bill for an Act that

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  amends the Toxic Substances Disclosure to Employees Act.

  Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. A Fiscal Note has been filed on the Bill as amended."
- Speaker Daniels: "Third Reading. House Bill 3368. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3368. A Bill for an Act that amends the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A Fiscal Note has been filed on the Bill."
- Speaker Daniels: "Third Reading. 3451, House Bill. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3451. A Bill for an Act that amends the Unified Code of Corrections. Second Reading of this House Bill. Amendment #1 was adopted in Committee.

  No Floor Amendments. Correctional Budget Note has been requested on the Bill and has been filed on the Bill as amended."
- Speaker Daniels: "Third Reading. House Bill 3578. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3578. A Bill for an Act that amends the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. Fiscal Note and Balanced Budget Note have been filed on the Bill."
- Speaker Daniels: "Third Reading. House Bill 3637. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3637. A Bill for an Act that amends the Uniform Penalty and Interest Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A State Mandates Note has been filed on the Bill."

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- Speaker Daniels: "Third Reading. House Bill 3669. Read the Bill, Mr. Clerk."
- Clerk McLennand: "House Bill #3669. A Bill for an Act that amends the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. Fiscal Note and Correctional Budget Note have been filed on the Bill."
- Speaker Daniels: "Third Reading. Ladies and Gentlemen, it is with great pleasure, I ask for your attention. Members of the House. Senator Berman, welcome to the chambers. Okay, a Northwestern grad, Senator Berman. Senator, you can come up and join us, too. Ladies and Gentlemen, it is with great pleasure that I introduce to you, first, the Majority Leader of the House, a graduate of Northwestern University who has some very fine things to say, and make some introductions. Bob Churchill."
- Churchill: "Thank you, Mr. Speaker. It is my great pleasure this afternoon to introduce to you some of the people who were the essential elements in creating the best year that Northwestern University has had in my lifetime for football. And it was a pleasure to watch them go to be the Big Ten Champs and to actually get a chance to watch them in the Rose Bowl. They should've won that game, and I think maybe next year we'll get 'em. I'd like to introduce first, the President of Northwestern University, Henry Bienen. Henry."
- Henry Bienen: "Thank you very much, Bob. It's a great pleasure for us to be here. If we had known that we'd been invited to the General Assembly, we would have won the Big Ten earlier. We wouldn't have waited all these years. We at Northwestern are very proud of our football team, of Coach Barnett, and his players. We are very excited about what

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was a wonderful year which I think was good, not only for Northwestern, but good for the State of Illinois. And I'm here to say we're grateful for the support of this Body, for all the important educational initiatives, the MAP program, the work that you've done for higher education. We're terribly grateful for the support of the Advanced Photon Source. We're very pleased to be here with Senator Parker, the Speaker, and the Majority Leader. So, I don't want to talk at you very long, but merely to say it's our honor to be in front of this Body, and we're very happy that you invited us to be with you. Thank you very much."

Churchill: "I think he was voted Coach of the Year by everybody.

He was certainly my Coach of the Year, Gary Barnett."

Gary Barnett: "Thank you. I'm not so sure what President Bienen is talking about there, but we had a tremendous year and we have appreciated everybody's support. It seems as we've been able to capture the interest and appreciation of virtually every political group in every section of the country. And I would say that this could only happen in our program, and the way our kids handle it, could only happen because they checked their personal and private interests at the door. And when they came in, what they set out to accomplish, they didn't care who got the credit for it, just so we found a way to get it done. And that's just the way we operated all year, and that proved to be very, very successful for us. I would like to introduce three of our players that came with us. And I'll tell just But, the first gentleman is Rob a minute about them. Johnson, and Rob Johnson is from the South side of Chicago, and was a center for us, and an All Big Ten performer. He has graduated and is now pursuing jobs in professional football, if he can find his way through that, and was a

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tremendous four year starter for us, broke the record at Northwestern University for the most consecutive starts, more than any player in the history of the University. it's Rob Johnson. Ryan Padgett is from Washington. He is an offensive quard for us, and Ryan scored in the top 17% of the Med-CAT exam. and will going to medical school this next fall. He hasn't turned 21 yet, and he is also, has dreams of playing in the NFL, and has a good chance of doing that. He's got to fund that medical school some way, so he thinks he makes the big hit early and then pay for it. But, this is Ryan Padgett. And then another one of our captains from Cleveland, Ohio, Sam Valenzisci. is a place kicker for us. He was an All-American, missed the last five games of the year, to a knee injury, but was still an important role, played an important role on our team, and was still able to garner and All-American Award with the Walter Kamp Foundation. Sam Valenzisci has also graduated. Sam has one degree from Medill and now is in his graduate school, and will graduate in June with his Master's Degree from Medill School of Journalism."

- Sam Valenzisci: "Speaker, on behalf of the entire Wildcat
  Football family, we'd like to thank you for all your
  support, and we have a hat, one of the ones that was given
  to us, the team hat. So, we'd like to make a presentation
  to you."
- Speaker Daniels: "Thank you very much. Let's see if we can get this on, huh? There we go. How's that, huh? As a graduate of the University of Iowa, I was pleased to lose to you this year. Do we have a... how many Northwestern grads are over on this side? Everybody that's a Northwestern grad, why don't you come up here? And

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Representative Schoenberg would feel bad if we didn't recognize him because Northwestern is in his district.

Okay, Representative Schoenberg."

- Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It...until Mike Royko wrote a particular column this week, Gary Barnett was my most famous constituent, and I'm glad to see Gary, that you're going to be staying put in Evanston. I have to tell you that the... watching the Wildcats this year has been exhilarating for everybody in my neighborhood. Things have gotten so bad that when, after Northwestern beat Notre Dame, that we had to order all the Starbucks Coffee Shops to stop serving caffeinated because people on the North Shore were getting too 'out of hand'. All kidding aside, all of you have given, all of you have given all of us on the North Shore a great deal of pleasure, and we're looking forward to many more years of success. Thank you."
- Speaker Daniels: "Well, again, to Northwestern and to the great tradition that you have established, not only academically, but now in terms of it's athletics. We are extremely proud of you. You are in our minds and hearts the best team in the country. We look forward to a repeat and a victory in the Rose Bowl next year. So, congratulations to all of you. Representative Biggert in the Chair. Representative Wojcik in the Chair."
- Speaker Wojcik: "Will all Northwestern grads go to the Speaker's

  Office? They're going to take a picture. Representative

  Cowlishaw."
- Cowlishaw: "Thank you, Madam Speaker. I rise to announce the time of the Education Committee, the Elementary and Secondary Education Committee tomorrow morning is changed from 9 a.m. to 8:30 a.m., in accord with Representative

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- Hartke, with whom I checked before I made this announcement. So, Education at 8:30 tomorrow morning. Same place, half an hour earlier than posted. Thank you, Madam Speaker."
- Speaker Wojcik: "You're welcome, Representative. Committee announcements."
- Clerk McLennand: "Attention Members. Public Utilities Committee scheduled for 12:30 today has been cancelled. Public Utilities and Insurance Committees are cancelled for this afternoon. Attention Members. We do have computer training after Session here in the chamber this afternoon, immediately following Session."
- Speaker Wojcik: "Representative Weaver, for what purpose do you seek recognition?"
- Weaver: "Thank you, Madam Speaker. Simply for an announcement.

  Through an oversight, the Appropriations for Education

  Committee meeting this Thursday morning at 9:00 a.m.. was

  not listed on the calendar. We are going to meet, 9 a.m..,

  Room 114, subject matter only on the State Board of

  Education."
- Speaker Wojcik: "We will now proceed to the order of House Bills
   Third Reading. Mr. Clerk, read House Bill 2660."
- Clerk McLennand: "House Bill #2660. A Bill for an Act that amends the Wildlife Code. Third Reading of this House Bill."
- Speaker Wojcik: "The Gentleman from Effingham, Representative Hartke is recognized."
- Hartke: "Thank you very much, Madam Speaker, and Members of the House. House Bill 2660 is a change in the statute as it relates to deer hunting in Illinois. Each and every one of us know that as an individual landowner, we're entitled to a free deer hunting permit for each 40 acres that we own.

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The statutes also allow for corporate shareholders of corporations to also receive the same benefit of a free landowner's deer permit. However, the statute is void of those individuals who own land in partnership, and so this piece of legislation simply adds the definition. And those individuals who own land in partnerships to the statute that are allowed to receive free landowner's permits for each 40 acres, but that's limited to 15 permits per partnership. So, I'd be happy to answer any questions."

Speaker Wojcik: "Is there any discussion? The Gentleman from Washington, Representative Deering is recognized."

Deering: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Wojcik: "He indicates he will."

Deering: "Representative, what does this do to an individual that may be a son or a daughter of a landowner? Will this allow them to have free permits to hunt on their mother or father's land?"

Speaker Wojcik: "Representative Hartke."

Hartke: "If they're a member of that partnership, and they're
 named in the partnership, they would be entitled to a free
 landowner's permit."

Speaker Wojcik: "Representative Deering."

Deering: "Well, what if they are, what if they are, what if their mom... what if their mother and father are in their late 50's, early 60's and they are in their 30's? They are totally legal adults. They can go out and live on their own, and raise their families. Can they not, or under current law now, if I wanted to hunt on my dad's property, or apply for a free landowner's permit, I can't do it because I'm not an immediate family member. Is that not correct? Will this Bill change any of that?"

Speaker Wojcik: "Representative Hartke."

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Hartke: "I don't think so, Representative Hartke, or Representative Deering. This said that it will apply to partnerships, and these are the named partners in the partnership."

Speaker Wojcik: "Representative Deering."

Deering: "Okay, another scenario. I get a lot of complaints from people in my district because the counties fill up as far as permits issued. Now, if we're going to issue free permits for the partnerships, will that take away from the bottom line of the permits available for other people in the county, especially when they want to purchase 2 or 3 or 4 permits or more?"

Speaker Wojcik: "Representative Hartke."

Hartke: "Yes, I think it probably will. Because we only issue so many permits per county."

Speaker Wojcik: "Representative Deering."

Deering: "So, then are we going to discriminate against possible residents who live not only instate, but live in our respective districts, and then say 'you can't have permits because of a partnership program here with an out-of-state company that wants to come in and do this', and we can give them the permits and now our people will not be able to get permits. Is that what we may be doing here?"

Speaker Wojcik: "Representative Hartke."

Hartke: "We're giving the same privilege to free landowner's permits that we now give to partnerships, that we give to landowner's. I don't think it's going to expand the number of permits greatly."

Speaker Wojcik: "Representative Deering."

Deering: "I just hope that we take a look at this when it goes into the Senate. You and I can get together, since we never see each other. We can get together and talk about

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this. 'Cause I don't want to take an advantage away of some 16 or 17 year old child that was really looking forward to going deer hunting, and now some corporation is going to get his permit. So, I think that's something that we need to be careful about."

Speaker Wojcik: "Representative Hartke."

Hartke: "I'll be looking forward to meeting with Representative

Deering to discuss this issue."

Speaker Wojcik: "Is there any further discussion? Seeing none, Representative Hartke to close."

Hartke: "Thank you very much, Madam Speaker. I just think this brings some common sense into the statutes because it does add the legal definition of partnerships, which was probably an oversight years ago. Not many farmers or individuals own their land in partnership. So this is only to bring fairness to our statutes, and I'd appreciate your support."

Speaker Wojcik: "The question is 'Shall House Bill 2660 pass?'

All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 'ayes', 1 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2734."

Clerk Rossi: "House Bill 2734. A Bill for an Act amending the Conservation District Act. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes Representative Hughes."

Hughes: "Thank you, Madam Speaker. House Bill 2734 is permissive legislation which provides, under the Conservation District

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Act, that by referendum, Conservation District Trustees would be elected rather than appointed. As I said, there is no mandate in this Bill. It merely provides that either through a Resolution of the County Board, or a petition signed by 5% of the voters of the last general election. a question can be put on the ballot to ask whether or not a Conservation District Board of Trustees will be elected instead of appointed. It goes on to make provisions for the number of members of the board, what areas they will represent, and so forth. This would be a non-partisan election. It would take place, the referendum would take place in a general election, under the provisions of the election code at the first general election after the petitions are filed. If it were passed, the election would also take place at the first general election after the Resolution was passed. The reason for bringing this Bill forward is that conservation districts are one of the very few districts that have extensive budgets, and extensive non-referendum bonding authority. They are appointed. And questions and concerns have been raised in my district about whether or not these boards would be more responsive to their constituents if they were elected. Now, again, it is permissive. There is no mandate here. I would urge a 'yes' vote, and I'd be pleased to answer questions."

Speaker Wojcik: "Is there any discussion? The Gentleman from Vermilion, Representative Black, is recognized."

Black: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Black: "Representative, how many conservation districts does this
 impact in the state?"

Speaker Wojcik: "Representative Hughes."

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Hughes: "The Bill would apply statewide. There are five conservation districts in the following counties: McHenry, Boone, Putnam, Macon and Vermilion."

Speaker Wojcik: "Representative Black."

Black: "That last one you mentioned is near and dear to my heart.

Vermilion County. So, there are only five conservation

districts in the State of Illinois. Correct?"

Speaker Wojcik: "Representative Hughes."

Hughes: "That is correct."

Speaker Wojcik: "Representative Black."

Black: "And your Bill, I believe you intimated in your opening remarks, your Bill is generated out of some concerns that exist in your district. Is that the genesis of the Bill?"

Speaker Wojcik: "Representative Hughes."

Hughes: "The issue of a board with large budget and bonding authority not being elected has come up in my district. That's correct."

Speaker Wojcik: "Representative Black."

Black: "Would there be a way to structure this Bill so that you could accomplish what some of your constituents want, and I know you've compromised on this. But, I'm just, for sake of discussion, would there be a way to perhaps structure this Bill later on in the Senate where you could accomplish your goals, and yet it would not perhaps impact the other four districts?"

Speaker Wojcik: "Representative Hughes."

Hughes: "That is something that we would be happy to discuss with you further. At this juncture, the reason the Bill has been drafted to apply statewide is because of concerns about constitutionality with and how to structure it so that we could have it apply to one district and not the others."

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Speaker Wojcik: "Representative Black."

Black: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I do appreciate the Sponsor's indulgence, and I must say that she has been very, very willing to listen to concerns that the other districts have. appreciate the fact that she has made this legislation permissive. And I certainly thank her for that. we all are products of our district. I have heard from my executive director and many of the trustees of the conservation district in my home county. They feel very strongly that the original purpose of the Act, to have trustees appointed rather than elected was to keep politics out of conservation districts. My executive director surveyed all of his past trustees, and the vast majority of them thought that it would not be in the best interest. knowing what they know, having served on the conservation district, to put this in the realm of elected office. So. it's, knowing my conservation district, and what it has accomplished over the last 33 years, I intend to vote 'no' on the legislation, not because I'm diametrically opposed to the Sponsor's Bill. And I think she has been very, very agreeable and very, very open in making this permissive legislation. But it comes down to who we represent, and where we're from. And as I've heard from many people in my district, the Vermilion County Conservation District works very well under it's current aegis under the county board. it's for that reason, not necessarily that legislation is necessarily bad, nor indeed is it flawed. It's just that where I come from they don't want this, and it's for that reason and that reason alone, I'll vote 'no'."

Speaker Wojcik: "Is there further discussion? The Gentleman from

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Madison, Representative Hoffman is recognized."

Hoffman: "Will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Hoffman: "Representative, with regard to other provisions of this Bill, were the other Amendments, Amendments #1 and 2 adopted to this Bill?"

Speaker Wojcik: "Representative Hughes."

Hughes: "No, they were not."

Speaker Wojcik: "Representative Hoffman."

Hoffman: "So, Representative Skinner's Amendments regarding the limitation of conservation districts subject to Property Tax Extension Limitation Law, may not issue bonds without prior referendum, that was not adopted to this Bill? Is that right?"

Speaker Wojcik: "Representative Hughes."

Hughes: "Correct."

Speaker Wojcik: "Representative Hoffman."

Hoffman: "So, this has nothing to do with anything other than what Representative Black made reference to. And that is whether the trustees of these conservation districts will be elected or appointed?"

Speaker Wojcik: "Representative Hughes."

Hughes: "It is patterned after similar provisions for fire districts, sanitary districts, drainage districts, which allows by referendum for what is currently an appointed board to become an elected board. That is all that it does."

Speaker Wojcik: "Representative Hoffman."

Hoffman: "Have you spoken, I know that Representative Black spoke
about his opposition to this Bill, have you talked with
individuals from Putnam County, Macon County, or Boone
County, the other counties other than McHenry County where

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you are from, that are affected by this piece of legislation?"

Speaker Wojcik: "Representative Hughes."

Hughes: "I have spoken with Farm Bureau. I have spoken with United Counties. I have had, I have not spoken directly but have had communications from Putnam County Conservation District Board. the Vermilion County Conservation District Board. Both of those are opposed to this legislation as Board members. Interestingly enough. the only communication that I have had from outside my district in support of this Bill by way of a letter was from Vermilion County from a former trustee who felt he was supportive of this Bill. So, I am aware of only conservation district trustees that are appointed being in opposition to this Bill. I am not aware of any other opposition to the Bill."

Speaker Wojcik: "Representative Hoffman."

Hoffman: "Well, it's my understanding that, or I don't know of any other Representative on this floor other than you who represents McHenry County. Maybe I'm wrong, and I don't want to talk for anybody. But in my understanding that Representative Mautino who represents Putnam County is against this Bill. Representative Black who represents Vermilion County is against this Bill, and it seems to me that the people who represent the counties in which ... I understand what you're trying to do, the counties in which these conservation districts are located, should be able to make the determination as to whether or not we want to continue the way things have gone. I understand and I applaud your efforts for attempting to change it. However, it seems like in these other areas, 'what's not broke, why should we fix it?' And I think it's been working well for

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them. Why should we fix it here? Do you know, are the Representatives of these other four counties, are any of them in support of this piece of legislation?"

Speaker Wojcik: "Representative Hughes."

Hughes: "I cannot state with certainty. I am aware of Representative Mautino's concerns, Representative Black's concerns. Those are the only two Representatives that have spoken to me about the Bill. And, in fact, I believe that their concerns represent the concerns of the Conservation District Boards themselves. I am not aware that they are concerns that are brought to them by their county boards or their citizens."

Speaker Wojcik: "Representative Hoffman."

Hoffman: "Well, just to close. It is my feeling that the people who represent these districts should be able to speak to this, Madam Speaker. And I think Representative Black has already spoken to it. I would hope, and I won't take up anymore time, Representative Mautino just got back in the chamber. If he could give us his thoughts, I think it would guide a lot of us as to how we were going to vote on this issue. Thank you."

Speaker Wojcik: "Is there any further discussion? The Gentleman from McHenry, Representative Skinner, is recognized."

Skinner: "Thank you, Madam Speaker. The McHenry County Conservation District Board is broke. That's why it needs fixing. It has, it is threatening to issue \$15,700,000 worth of bonds without a referendum. There are two tax districts in the six county area that have appointed boards that are allowed to issue non-referendum bonds. One is the Chicago Park District, and the other is the McHenry County Conservation District. This Bill, however, is seriously flawed in my opinion. The two flaws are: #1) the

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appointed board can sell the additional \$10,000,000 worth bonds before a new elected board can take office. originally threatened to sell \$15,700,000, but when I raised rather strenuous objection, they backed off and decided to sell only \$5,000,000 worth of bonds. The other are coming down the pike right after the primary election, in my opinion, unless Amendment #1 is adopted to this Bill. The second flaw in this Bill is that McHenry County is unlike the other four counties. McHenry County is a large county. We have over 2000 people. To have an at-large election in McHenry County, that is to win an at-large election in McHenry County, you pretty much have to have an Anglo-Saxon or Germanic last name. There won't be a lot of Polish folks that will be elected to the McHenry County Conservation Board, nor will there be any members of my wife's ethnic background, Italian, elected to this Board. So, it seems to me, that in order to allow people to represent more discrete sections of the county than the entire 200,000 population that Amendment 2 should be adopting which would allow, which would require member districts which would be apportioned by the McHenry County Board. Now, why am I making such a big deal about The reason is, I guess the reason goes back to my this? basic philosophy. And that is that a concentration of whether financial or political, is generally a bad power, idea. As Lord Acton said, 'Absolute power or power corrupts absolute power corrupts absolutely.' Now, I no doubt this Bill is going to pass. I am going to vote for this Bill because this board is so bad that any change would be an improvement. It's now an appointed board. Each member has a five year term and cannot be reappointed until the person has been off the board for a year.

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means there is absolutely no way to punish the members of the McHenry County Conservation District Board who have flouted the non-referendum bond sale this past year. It's qoing to cost taxpayers in McHenry County an extra \$45 a year until the \$5,000,000 worth of bonds are paid off. And an additional \$10,000,000 worth of bonds are paid off, it will cost an additional \$45 per year per \$150,000 house through the year 2008. Now, my objection is one of principle, number one. But, number two, I have a parochial objection. I represent the southern part of McHenry County, the fastest growing part of McHenry County, the densest populated part of McHenry County. This Conservation District Board, the appointed board, wants to use all of the open space buying authority it has through the year 2008. By the year 2008, there won't be an acre of open space worth buying in the largest township in McHenry County, which is my home Township of Algonquin. The Gentleman from Vermilion says it comes down to who we represent, and where we're from. I represent McHenry County. I'm going to vote for this Bill because this board does not deserve to stay in office, and rest assured, if this Bill is passed and signed by the Governor, this board will be out of office at the first general election after the opportunity to pass petitions. Thank you very much, Madam Speaker."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Bureau, Representative Mautino, is recognized."

Mautino: "Thank you. Will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Mautino: "Ann, on this, we talked last week about you were considering or were going to look into amending this to make this McHenry County only. Have you done that?"

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Speaker Wojcik: "Representative Hughes."

Hughes: "The discussion I'd had was that we look at this in the Senate. The Bill is on Third Reading, and it was on Third Reading at the time we discussed it."

Speaker Wojcik: "Representative Mautino."

Mautino: "The reason that I have and that I had talked to you about is in Putnam County now. We have a conservation district, for those of you who are, who do not know, Putnam County is the smallest county in the State of Illinois. And because of it's size, it is going to be extremely adversely impacted by your legislation. Well currently, Putnam County we don't even have an executive director for the conservation district. And because of the pool of prospective trustees there, with your legislation, there is a possibility that we would have at this point, no trustees Now, the county board also contacted me. were opposed, as it's done on a voluntary basis right now, they're going to have an increase cost for putting them on the election. And a question came up, 'are these going to be compensated positions?' Which was not addressed to them, but I would ask you to, first of all, I would ask the Members of the House, to the Bill. I would ask that you take a good look at this legislation. I think that the Representative is honestly trying to take care of a problem in her district. However, in doing that, she is creating this Bill, not she, this Bill will create problems with the districts who are not under the tax caps, and who are not feeling any, or having any problems at this point in time. The old adage of 'if it ain't broke, don't fix it', does apply. And, because of the adverse impact on Putnam County, I'm asking, and I'd like to ask the Members on my side of the aisle, and all colleagues to consider a 'no'

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vote on this legislation in hopes that on a second try, the Representative may make this only affect the problem which is occurring within her district. I ask for a 'no' vote, and I thank you."

- Speaker Wojcik: "Is there any further discussion? There being none, the Chair recognizes Representative Hughes to close."
- "It confuses me to hear how this Bill Hughes: is creating problems when there must be proactive activity on the parts of county boards or on the parts of the citizens who reside in conservation districts for there to be any impact at Currently, this same provision exists for fire all. districts, sanitary districts, et cetera. And unless citizens feel there is a problem, unless the citizens feel they would be better represented by an elected board, Bill will have absolutely no impact whatsoever on any county. I should also point out that it is supported by the Farm Bureau and by United Counties Council of Illinois. Again, it is a permissive Bill, and I would ask for your support. Thank you."
- Speaker Wojcik: "Representative Mautino, you have requested a Verification if the Bill receives..."
- Mautino: "Yes. In the event that this receives enough votes for passage, I would request a Verification and I'm joined by the appropriate number of colleagues. Thank you."
- Speaker Wojcik: "Very well. Thank you. The question is, 'Shall House Bill 2734 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Mr. Clerk. Mr. Clerk, take the record. On this question there are 60 'ayes', 49 'nays', 4 voting 'present', and a Verification has been requested. Mr. Clerk, please read those voting in the Affirmative."
- Clerk Rossi: "Poll of those voting in the Affirmative.

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Representatives Ackerman. Balthis. Biggert. Biggins. Bost. Brady."

Speaker Wojcik: "Representative Meyer, for what purpose do you rise?"

Meyer: "Yes, Madam Speaker. May I have leave to be verified?"

Speaker Wojcik: "Representative Mautino, do you give leave to Representative Meyer? Leave is granted."

Rossi: "Representative Brady. Churchill. Clerk Ciarlo. Cowlishaw. Cross. Deuchler. Doody. Durkin. Gash. Goslin. Hartke. Hassert. Hoeft. Hughes. Johnson, Tim. Johnson. Tom. Kaszak. Klingler. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Moffitt. Meyer. Mitchell. Moore, Andrea. Mulligan. Rich Myers. O'Connor. Pankau. Parke. Murphy, Maureen. Persico. Poe. Roskam. Rutherford. Ryder. Saviano. Spangler. Stephens. Skinner. Tenhouse. Turner, John. Wennlund. Winkel. Wait. Winters. Wirsing. Wojcik. Zickus. And Mr. Speaker."

Speaker Wojcik: "Representative Mautino, are there any challenges to the 'aye' vote?"

Mautino: "Is Ron Stephens in the chamber?"

Speaker Wojcik: "Representative Stephens. Representative Stephens in the chamber? The Gentleman is not in the chamber. Mr. Clerk, remove him from the Roll."

Mautino: "Representative Mitchell?"

Speaker Wojcik: "Representative Mitchell? Representative Mitchell is in his seat."

Mautino: "Representative Tom Johnson?"

Speaker Wojcik: "Representative Tom Johnson is in his seat."

Mautino: "Representative Goslin?"

Speaker Wojcik: "The Representative is in his chair."

Mautino: "Representative Winters?"

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Speaker Wojcik: "Representative Winters? Representative Winters in the chamber."

Mautino: "Representative Tim Johnson."

Speaker Wojcik: "Representative Johnson? There he is. He's up at the front of the podium. Representative Kubik? Representative Mautino, Representative Kubik requests leave to be verified. Leave is granted. Representative Ryder? Representative Mautino? Leave is granted. Representative Brady. Representative Mautino, Representative Brady would like leave to be granted. Leave is granted."

Mautino: "Representative David Leitch?"

Speaker Wojcik: "Would you state your name again, Representative?"

Mautino: "Representative Leitch?"

Speaker Wojcik: "Representative Leitch, are you in the chamber?

Representative Leitch is in the chamber."

Mautino: "Representative Clayton?"

Speaker Wojcik: "Representative Clayton is not voting.

Representative Parke, for what purpose do you rise?"

Parke: "I would like to have permission for being excused. Thank you."

Speaker Wojcik: "Representative Mautino, do you give leave?"

Mautino: "Representative Hartke?"

Speaker Wojcik: "Representative Hartke? Representative Hartke?

Is Representative Hartke in the chamber? Mr. Clerk, remove him from the Roll."

Mautino: "No further."

Speaker Wojcik: "The Roll is 58 'yeas', 49 'nays', 4 voting 'present'. Representative Hughes is recognized."

Hughes: "Yes. I would please request respectfully that the Bill be placed on Postponed Consideration."

Speaker Wojcik: "The request is granted. The Bill will be placed

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  on Postponed Consideration. Mr. Clerk, please read House
  Bill 3165."
- Clerk Rossi: "House Bill 3165. A Bill for an Act amending the Radiation Protection Act of 1990. Third Reading of this House Bill."
- Speaker Wojcik: "The Chair recognizes the Gentleman from Cook, Representative Hassert."
- Hassert: "Thank you, Madam Speaker, Members of the House. House
  Bill 3165 simply amends the Radiation Protection Act, and
  it provides that the Director Department of Nuclear Safety
  may subpoena witnesses to testify at administrative
  proceeding and investigation proceedings. I'll be happy to
  answer any questions."
- Speaker Wojcik: "Is there any discussion? The Gentleman from Clinton, Representative Granberg, is recognized."
- Granberg: "Thank you, Madam Speaker. Will the Gentleman yield?"

  Speaker Wojcik: "He indicates he will."
- Granberg: "Representative Hassert, I believe this would allow the
  Director of Nuclear Safety to have subpoena powers. What
  is the rationale behind giving the Director of the
  Department subpoena powers?"
- Speaker Wojcik: "Representative Hassert."
- Hassert: "Representative, simply that other departments have the subpoena powers. And there's been a few cases in which the Director had a couple particular instances where he had to have a problem getting a witness to testify. And without having the subpoena powers, there is no way of forcing that witness to come forward."
- Speaker Wojcik: "Representative Granberg."
- Granberg: "Representative, you indicated that one of the reasons
  was for this Bill, would be that other directors have other
  subpoena powers. What other agencies have subpoena

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powers?"

Speaker Wojcik: "Representative Hassert."

Hassert: "Such agencies as the EPA, the Pollution Control Board,
the Attorney General, Public Health, Revenue, Professional
Regulation, Financial Institutions, and Natural Resources."
Speaker Wojcik: "Representative Granberg."

Granberg: "So, you also indicated, Representative, that on a few occasions the Director has indicated he needed these subpoena powers. Can you please elaborate a little bit on those few occasions? Why the Director needed those subpoena powers and what were the circumstances behind the need for those powers?"

Speaker Wojcik: "Representative Hassert."

Hassert: "He had occasion on two particular instances. One at a oil refinery where an employee was exposed to radiation, was not a member of the Department of Nuclear Safety, nor of the licensee. And they needed him to bring forth so they could further investigate the incident and the witness was unwilling, but finally after some persuasion from the Department of Nuclear Safety, and actually going down and picking him up and providing him with transportation and housing, he agreed to speak. But, they just don't want to get themselves in this case, in this circumstances again. They thought subpoena powers would be the best way to handle it."

Speaker Wojcik: "Representative Granberg."

Granberg: "Representative, I think you just indicated that this arose on that occasion. But, in fact they did not need the subpoena powers to get that gentleman to testify. So, what is the overwhelming need to expand the subpoena powers if in fact, that did not occur?"

Speaker Wojcik: "Representative Hassert."

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Hassert: "It just makes for a cleaner process. To expect the Director or staff to basically chase people down throughout the State of Illinois, trying to convince them that they should testify puts a probably an undue burden upon the agency to try to carry out their duties."

Speaker Wojcik: "Representative Granberg."

Granberg: "Representative, does this Body, does the Illinois

House of Representatives have subpoena powers?"

Speaker Wojcik: "Representative Hassert."

Hassert: "I have no idea."

Speaker Wojcik: "Representative Granberg."

Granberg: "Does the Illinois State Senate have subpoena powers?"

Speaker Wojcik: "Representative Hassert."

Hassert: "I don't know."

Speaker Wojcik: "Representative Granberg."

Granberg: "So, we're going to give the Director of an agency who is not elected, who has little or no accountability, although I have a great deal of respect for the gentleman. But directors change. And we're going to give this gentleman subpoena powers over the entire state. So, the director of a department can go out and subpoena anyone they wish, for really no justification. This has only happened once, and that was corrected. But, we're going to give this broad authority to the director of an agency who is appointed, who's not elected, and who's really not accountable to anybody. Is that correct?"

Speaker Wojcik: "Representative Hassert."

Hassert: "Well, you might view this a little differently. I think the agency has a very important aspect to provide safety in regarding something with dealing with nuclear situations where there might be some exposure. And I sincerely doubt that the director would misuse this, or try

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to influence anything other than trying to do his job to try to determine how radiation was exposed to an individual or a group of individuals which is basically a safety, and to get at the bottom so they can enforce their regulatory duties."

Speaker Wojcik: "Representative Granberg."

Granberg: "I thank the Representative, and I know he is well-intentioned, as he always is behind the legislation. And I have a great deal of respect for the current director. But, Ladies and Gentlemen, I must rise in opposition. I am concerned that we give subpoena powers to anybody, particularly agencies and agency directors. I think that's a step in the wrong direction. We're giving away our authority to people that are not accountable, who are not elected. And I don't think that's the idea of a government that we want to see reduced and made more accountable to the people."

Speaker Wojcik: "Is there any further discussion? Seeing none, Representative Hassert to close."

Hassert: "Just a comment to Representative Granberg's address.

Just basically, I think there's a lot of oversight in any director's job. He answers to the Governor. He answers to us through the budgetary process. I sincerely doubt if there would be any abuse in the system. There's other, almost all agencies have subpoena powers. There doesn't seem to be abuse in those systems. So, I'd just ask for a favorable vote. Thank you."

Speaker Wojcik: "The question is, 'Shall House Bill 3165 pass?'

All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 99 'ayes', 3 'nays', 9 voting 'present'. And this Bill, having received a Constitutional Majority is hereby declared passed. Returning to the Order of House Bills - Second Reading. Mr. Clerk, please read House Bill 3396."

- Clerk Rossi: "House Bill 3396. A Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments approved for consideration. A Fiscal Note has been filed on the Bill."
- Speaker Wojcik: "Third Reading. Committee announcements."
- Clerk McLennand: "Committee announcements. The following Committees have been cancelled for today: Insurance and Public Utilities Committees have been cancelled. For Wednesday, Elementary and Secondary Education will meet at 8:30, not 9 a.m.. Will meet at 8:30. Again for today, Insurance and Public Utilities have been cancelled. And on Wednesday, March 6th, Elementary and Secondary Ed will meet at 8:30."
- Speaker Wojcik: "Representative Churchill now moves that the House stand adjourned until Wednesday, March 6th, 1996 at the hour of 11 a.m. All those in it. Allowing for Perfunctory time for the Clerk, the House now stands adjourned until Wednesday, March 6th, 1996 at the hour of 11 a.m."
- Clerk McLennand: "House Perfunctory Session will be in order.

  Introduction of Resolutions. House Joint Resolution #93,
  offered by Representative Churchill; House Resolution 78,
  offered by Representative Lou Jones. Both of those
  Resolutions are referred to the Rules Committee.
  Introduction and First Reading of House Bills. House Bill
  #3702, offered by Representative Ryder, a Bill for an Act

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making appropriations to the Court of Claims. House Bill #3703, offered by Representative Deering, a Bill for an Act in relation to salaries for certain elected officials. First Reading of these House Bills."

Clerk McLennand: "The House Perfunctory Session will stand in recess until the hour of 5 p.m."

Clerk McLennand: "The House Perfunctory Session will be in order. Committee Reports. Committee Report from Representative Noland, Chairman from the Committee on Agriculture, which the following Bill was referred, action taken on March 5th, 1996, reported the same back with the following recommendation: 'do pass Short Debate' House Bill 2612. Committee Report from Representative Deuchler, Chairman from the Committee on Financial Institutions, to which the following Bills were referred, action taken on March 5th, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 3128: pass as amended Short Debate' House Bill 3860. Committee Report from Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bill was referred, action taken on March 5th, 1996, reported the same back with the following recommendation: 'do pass as amended Short Debate' House Bill 3618. Committee Report from Representative Balthis, Chairman from the Committee on Cities and Villages, to which the following Bills were referred, action taken on March 5th, 1996, reported the same back with the following recommendation: 'do pass as amended' House Bill 2817; 'do pass Short Debate' House Bill 2978. Committee Report from Representative Wait, Chairman from the Committee on Transportation, to which the following Bills were referred, action taken on March 5th, 1996, reported the same back

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- with the following recommendations: 'do pass Short Debate' House Bill 2701; 'do re-refer to Rules' House Bill 2580 and House Bill 2633."
- Clerk McLennand: "Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene on Wednesday, March 6th, at the hour of 11 a.m. with the Governor's Budget Address at 12 noon."

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